

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
)	
UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 15-cr-10146-FDS
)	
ROSHAUN HAWKINS,)	
)	
Defendant)	
_____)	

**DEFENDANT ROSHAUN HAWKINS' MOTION FOR
PREPARATION OF A PRE-PLEA PRESENTENCE REPORT**

Defendant Roshaun Hawkins, through counsel, respectfully moves the Honorable Court for an order directing the Probation Department to prepare a pre-plea Presentence Report.

This is a complex case, where the government has obtained five different indictments involving approximately 45 defendants. According to the government's allegations, the defendants were involved in several different drug distribution conspiracies and other criminal conduct related to drug distribution and other gang activities.

Mr. Hawkins has been charged in one indictment and accused of participating in a conspiracy with eight co-defendants to distribute quantities of several controlled substances, including cocaine, cocaine base, heroin, and oxycodone. There is a great deal at stake in this matter, including the substantial risk of loss of liberty and a long period of incarceration for Mr. Hawkins. Counsel for the parties have engaged in discussions concerning the possible resolution of this matter before trial, but the parties have not executed a plea agreement. There are several complex issues to be addressed with respect to the proper guidelines calculation before this matter is resolved and an advisory sentencing range can be properly calculated. Mr. Hawkins

has an interest in properly understanding the scope of the offense charged in the indictment, relevant conduct that will impact the offense level calculation, and the calculation of the proper criminal history score based on Mr. Hawkins' prior criminal cases. Of particular importance, Mr. Hawkins has a history of prior criminal cases that could substantially impact the calculation of the advisory guidelines sentencing range.

Mr. Hawkins respectfully requests an Order directing the preparation of a pre-plea Presentence Report, to promote a fair, efficient, and just resolution of this matter and to ensure that Mr. Hawkins is able to make a knowing, intelligent, and voluntary decision whether to enter a guilty plea. After the disclosure of the Presentence Report, Mr. Hawkins will be able to make an informed decision, and if appropriate, will notify the Court if he intends to enter a guilty plea and proceed to sentencing.

Accordingly, Defendant Roshaun Hawkins respectfully requests that the Court enter an order directing the Probation Department to prepare a pre-plea Presentence Report.

Respectfully submitted,

Defendant Roshaun Hawkins,
By his attorneys,

/s/ John J. Commisso
Paul V. Kelly (BBO No. 267010)
John J. Commisso (BBO No. 647002)
Jackson Lewis P.C
75 Park Plaza
Boston, MA 02116
Tel. (617) 367-0025
paul.kelly@jacksonlewis.com
john.commisso@jacksonlewis.com

Dated: March 10, 2016

LOCAL RULE 7.1(a)(2) CERTIFICATION

I certify that Defendant's counsel conferred with the government regarding this motion and the relief requested and attempted in good faith to resolve or narrow the issues. The government has not indicated its position regarding the relief requested in this motion.

/s/ John J. Commisso _____
Jackson Lewis P.C.

CERTIFICATE OF SERVICE

I certify that this document was filed through the ECF system and will be sent electronically to the registered participants as identified in the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants.

/s/ John J. Commisso _____
Jackson Lewis P.C.